

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICHARD GENNERRO GROSSO,	)	
	)	
Petitioner,	)	
	)	
v.	)	2:06-cv-477
	)	Judge McVerry
SUPERINTENDENT LOUIS FOLINO,	)	Magistrate Judge Caiazza
et al.,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

Richard Gennerro Grosso's (Grosso) Petition for Writ of Habeas Corpus was received by the Clerk of Court on April 10, 2006, and was referred to United States Magistrate Judge Francis X. Caiazza for Report and Recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's Report and Recommendation, filed on June 13, 2006, recommended that the Petition for Writ of Habeas Corpus filed by Grosso be dismissed because he has failed to state a cognizable federal claim. Also, it was recommended that a Certificate of Appealability be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on the Petitioner and Respondents by First Class United States Mail. Objections filed by the Petitioner on June 20, 2006, have been reviewed and found to be without merit. After de novo review of all pleadings and documents filed in the

case, together with the Report and Recommendation of the Magistrate Judge, the following order is entered:

AND NOW, this 7th day of July, 2006;

IT IS HEREBY ORDERED that the Petition for a Writ of Habeas Corpus is **DISMISSED** and a certificate of appealability is **DENIED**.

The Report and Recommendation of Magistrate Judge Caiazza, dated June 13, 2006, is adopted as the opinion of the court.

BY THE COURT:

s/ Terrence F. McVerry  
U.S. District Court Judge

cc:  
Francis X. Caiazza  
U.S. Magistrate Judge

Kemal Alexander Mericli  
Office of the Attorney General  
Email: [kmericli@attorneygeneral.gov](mailto:kmericli@attorneygeneral.gov)

Richard Gennerro Grosso, CW-6959  
SCI Greene  
175 Progress Drive  
Waynesburg, PA 15370